

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

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| SCIOLI TURCO, INC., & 915 SPRING |) | |
| GARDEN ASSOCIATES, L.P., |) | |
| |) | |
| Petitioners, |) | |
| v. |) | CIV. ACTION NO. 21-CV-00563- RBS |
| |) | |
| |) | |
| PHILADELPHIA & READING |) | |
| RAILROAD CO., and READING |) | |
| INTERNATIONAL, INC., |) | |
| |) | |
| Respondents. |) | |
| _____ |) | |

ORDER

Upon consideration of Petitioners' Motion to Remand Or, In the Alternative, to Set a Hearing Within Sixty Days (the "Motion"), and any response thereto, it is ORDERED that the Motion is GRANTED. The Court, finding that it lacks subject matter jurisdiction over this action, hereby REMANDS this action to the Pennsylvania Court of Common Pleas for Philadelphia County for all further proceedings.

It is further ORDERED that Petitions Scioli Turco, Inc. and 915 Spring Garden Associates, L.P. are entitled to recovery of attorneys' fees and costs incurred as a result of the removal. Petitioners shall file a motion for such fees and costs within 14 days of the date of this Order.

BY THE COURT:

Surrick, J.

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| INTERNATIONAL, INC., |) | |
| |) | |
| Respondents. |) | |
| _____ | | |

**SCIOLI TURCO, INC.'S AND 915 SPRING GARDEN ASSOCIATES, L.P.'S
MOTION TO REMAND OR, IN THE ALTERNATIVE,
TO SET A HEARING WITHIN SIXTY DAYS**

Pursuant to 28 U.S.C. § 1447, Petitioners Scioli Turco, Inc., and 915 Spring Garden Associates, LP respectfully move this Court to remand this in rem petition action to the Pennsylvania Court of Common Pleas for Philadelphia County. The reasons therefore are fully stated in the accompanying brief, which is incorporated in this motion by reference. Alternatively, should the Court determine that it has jurisdiction over this action, Petitioners respectfully request that the Court set an evidentiary hearing to determine the existence of blighting conditions at the subject property within 60 days of the initiation of this action, as required by Pennsylvania's Abandoned and Blighted Property Conservatorship Act, 68 P.S. § 1101, et seq.

Respectfully submitted,

Dated: March 1, 2021

/s/ Gaetano P. Piccirilli
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and 915 Spring Garden Associates, L.P.*